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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/856,424	05/21/2001	Christoph Mecklenbrauker	12758-026001	7773
26161 75	590 01/24/2006		EXAM	INER
FISH & RICHARDSON PC			HYUN, SOON D	
P.O. BOX 1022	2			
MINNEAPOLIS, MN 55440-1022			ART UNIT	PAPER NUMBER
	•		2661	
			DATE MAILED: 01/24/2000	6

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
09/856,424	MECKLENBRAUKER ET AL.		
Examiner	Art Unit		
Soon D. Hyun	2661		

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

• •	•
THE REPLY FILED <u>30 December 2005</u> FAILS TO PLACE THIS APPLICATION IN CO	ONDITION FOR ALLOWANCE.
1. A The reply was filed after a final rejection, but prior to or on the same day as filing this application, applicant must timely file one of the following replies: (1) an am	endment, affidavit, or other evidence, which
places the application in condition for allowance; (2) a Notice of Appeal (with ap a Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.	The reply must be filed within one of the following
time periods:	
 a) The period for reply expires 3 months from the mailing date of the final rejection. b) The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the 	data set forth in the final rejection, whichever is later. In
no event, however, will the statutory period for reply expire later than SIX MONTHS fr Examiner Note: If box 1 is checked, check either box (a) or (b). ONLY CHECK BOX (rom the mailing date of the final rejection.
TWO MONTHS OF THE FINAL REJECTION. See MPEP 706.07(f).	dec 27 OFD 4 400(a) and the appropriate extension for
Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under the been filed is the date for purposes of determining the period of extension and the correspondence 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period set forth in (b) above, if checked. Any reply received by the Office later than three months after may reduce any earned patent term adjustment. See 37 CFR 1.704(b).	nding amount of the fee. The appropriate extension fee d for reply originally set in the final Office action; or (2) as
NOTICE OF APPEAL	
2. The Notice of Appeal was filed on A brief in compliance with 37 CFR 41 filing the Notice of Appeal (37 CFR 41.37(a)), or any extension thereof (37 CFR a Notice of Appeal has been filed, any reply must be filed within the time period	41.37(e)), to avoid dismissal of the appeal. Since
AMENDMENTS	
3. The proposed amendment(s) filed after a final rejection, but prior to the date of	-
(a) They raise new issues that would require further consideration and/or sea	arch (see NOTE below);
 (b) ☐ They raise the issue of new matter (see NOTE below); (c) ☐ They are not deemed to place the application in better form for appeal by 	materially reducing or simplifying the issues for
appeal; and/or	materially reducing of simplifying the issues for
(d) They present additional claims without canceling a corresponding number	r of finally rejected claims.
NOTE: The amendment in claims raises new issues. (See 37 CFR 1.110	6 and 41.33(a)).
4. The amendments are not in compliance with 37 CFR 1.121. See attached Notice	ce of Non-Compliant Amendment (PTOL-324).
5. Applicant's reply has overcome the following rejection(s):	
 Newly proposed or amended claim(s) would be allowable if submitted in non-allowable claim(s). 	
7. For purposes of appeal, the proposed amendment(s): a) will not be entered how the new or amended claims would be rejected is provided below or append The status of the claim(s) is (or will be) as follows:	
Claim(s) allowed: <u>none</u> .	
Claim(s) objected to: <u>21</u> .	
Claim(s) rejected: 1-20,22 and 23.	
Claim(s) withdrawn from consideration: AFFIDAVIT OR OTHER EVIDENCE	
8. ☐ The affidavit or other evidence filed after a final action, but before or on the date	e of filing a Notice of Appeal will not be entered
because applicant failed to provide a showing of good and sufficient reasons where was not earlier presented. See 37 CFR 1.116(e).	
9. The affidavit or other evidence filed after the date of filing a Notice of Appeal, but entered because the affidavit or other evidence failed to overcome <u>all</u> rejections showing a good and sufficient reasons why it is necessary and was not earlier process.	s under appeal and/or appellant fails to provide a
10. The affidavit or other evidence is entered. An explanation of the status of the c	
REQUEST FOR RECONSIDERATION/OTHER	•
11. The request for reconsideration has been considered but does NOT place the	application in condition for allowance because:
12. ☐ Note the attached Information Disclosure Statement(s). (PTO/SB/08 or PTO-1-	449) Paper No(s)
13. Other:	Chom To Mixen
S. HYUN	CHAU NGUYEN
1/18/06.	SUPERVISORY PATENT EXAMINER
/	TECHNOLOGY CENTER 2600